

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 18-CR-2945-WJ

JANY LEVEILLE,

Defendant.

ORDER GRANTING DEFENDANT'S MOTION TO SEAL COMPETENCY
PROCEEDINGS ON 1/13/2022

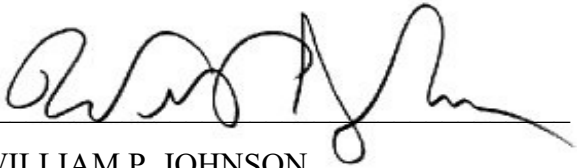
THIS MATTER comes before the Court following Defendant's Motion to Seal Competency Proceedings (Doc. 379) to be held on January 13, 2022.

Rule 49.1(e) of the Federal Rules of Criminal Procedure states: "For good cause, the court may by order in a case: (1) required redaction of additional information; or (2) limit or prohibit a nonparty's remote electronic access to a document filed with the court." Fed. R. Cr. P. 49.1(e). Furthermore, the Court has "discretion to allow the sealing of documents if the public's right of access is outweighed by other interests." *Simpson v. Kansas*, 593 F. App'x 790, 799 (10th Cir. 2014). To overcome the presumption against sealing, "the party seeking to seal records must articulate a real and substantial interest that justifies depriving the public of access to the records that inform [the court's] decision-making process." *Id.*

The Court finds that the public's right of access is outweighed by Defendant's substantial interest in her private medical history and confidential communications with treatment providers, her lawyers, and others involved in her treatment.

THEREFORE, Defendant's Motion to Seal Competency Proceedings (Doc. 379) is hereby **GRANTED**.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'William P. Johnson', is written over a horizontal line.

WILLIAM P. JOHNSON

CHIEF UNITED STATES DISTRICT JUDGE